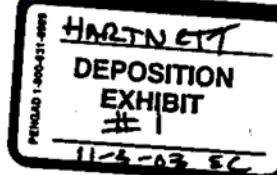


V-C

MEMO



TO: Dan Hartnett
FROM: Barbara E. Varner
DATE: April 25, 1997
RE: Harassment/Discrimination in Cumberland County Probation Department

This memo is to identify the elements of Harassment/Discrimination that has occurred to me in my work place at Cumberland County Juvenile Probation Department. I have been harassed in relation to my age, sex and marital status by Mr. S. Gareth Graham, Supervisor of Juvenile Probation Department. I have been sexually harassed by Mr. Joseph Osenkarski, Chief Probation Officer, Juvenile Probation Department, Cumberland County. I have been discriminated against by Mr. Osenkarski and Mr. Graham in regard to the seniority list because of my sex and age. I have witnessed sexual harassment by Mr. Graham and Mr. Osenkarski towards other female employees in the Adult and Juvenile Probation Departments.

Mr. Graham has been allowed to commit these acts of harassment by Mr. Osenkarski's omission of authority within the office. He has relinquished his position of authority to Mr. Graham and refuses to employ corrective actions for Mr. Graham's behavior.

These activities have escalated since the retirement of former Chief, Ken Bolze, in the summer of 1996 and Mr. Osenkarski became Juvenile Chief and Mr. Graham became the Supervisor of the Juvenile Probation Department. The most aggressive harassment has occurred within the last 180 days (six month period).

On 4/8/97 I informed Personnel Director, Dan Hartnett, of my complaints. As of April 25, 1997 I am still being supervised by Mr. Graham and Mr. Osenkarski and continually being harassed. I have expressed a strong fear of reprisal and physical harm by both Mr. Graham and Mr. Osenkarski in retaliation for submitting this complaint.

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Mr. Graham, my supervisor, has made degrading, harassing comments regarding my age, sex and marital status. Mr. Graham is in a position of control over my employment activities in his role as supervisor. When I started employment at Cumberland County in February 1995, Mr. Graham was in control over my employment activities as a Probation Officer II assigned to provide training and instruction to me.

In regards to harassment related to my age (48), Mr. Graham my supervisor has stated to me several times and to coworkers that he has no plans to hire anymore "women" or "middle aged people". I take offense to this blatant discrimination of a particular group of people of which I happen to be one.

Mr. Graham, my supervisor, has made comments to coworkers and myself that divorced women are angry at men. This comment has been made directly to me (a divorced woman) and at other female divorced coworkers.

Mr. Osenkarski and Mr. Graham have discriminated against me by lower^{ing} my status on the Probation Seniority List. This action goes against policy that was established by Judge Sheely and former Chief Ken Bolze. These seniority changes were to be retroactive. The Adult Juvenile Probation Department followed the correct procedure of honoring the established seniority list. Promotions were implemented based on the original seniority list in Memo dated February 12, 1996. I am the only person, a middle aged female, affected by Mr. Graham and Mr. Osenkarski's decision. I have also been sexually harassed by Mr. Graham, my supervisor, in regard to the seniority list. Mr. Graham has stated several times that my seniority is not based on time alone, that there are other things to be considered, winking in my direction, interpreted by me to mean sexual innuendoes.

Mr. Graham, my supervisor, has sexually harassed me by making comments in relation to the State Policy on Juvenile Case Management called the "Balanced Approach". Within this approach the Probation Officer needs to assure that the victim of the crime is satisfied, the Community is satisfied, and address the Juvenile issues. Mr. Graham has stated to me several times that in my case management I have to satisfy the victim and the Community, and hesitating with a suggestive smile in my direction, leaving an unanswered question interpreted by me to mean sexual innuendoes.

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Mr. Graham, my supervisor, has offended me as a woman by making sexual comments in regard to a female juvenile on my supervision caseload. The female juvenile has a medical/suicidal problem regarding premenstrual problems. This was noted in her social history, to which Mr. Graham responded, "Jesus Christ, do I need to get a Peter Meter in my office". This was very degrading and humiliating to me as it was also said in front of another male coworker. Mr. Graham has also offended me by continually making comments about a coworker, Dave Myers, in regard to his religious commitment. Mr. Graham has laughingly and degradingly called Mr. Myers "Christian Davey" in an effort to belittle Mr. Myers.

Mr. Graham, my supervisor, has harassed me and another female Probation Officer in regard to our activities following a commitment trip for a juvenile. Mr. Graham called us both liars and questioned where we were on our trip and checked the odometer reading on the County Car. He also took one hour of overtime from both of us. This followed a full explanation of severe foggy conditions, and an accident we avoided by taking an auxiliary road. Following ~~at~~ this I was screamed at by Mr. Graham on at least two occasions that all juvenile commitment trips begin at 8:00 AM (a policy never established before and not adhered to by any other male juvenile Probation Officers). I have observed numerous male Probation Officers leaving on commitment trips at various times throughout the day. This activity is discriminating to both me and the other female Probation Officer as no comment is made to either one of us when we travel with a male Probation Officer and they set the departure time.

Mr. Graham, my supervisor, has screamed at me numerous times while I am seated at my desk in my office. He has physically moved towards me in an aggressive manner with his finger pointed in my face as he approaches. I as well as other female coworkers have feared physical assault by Mr. Graham at these times.

Mr. Graham, my supervisor, has stated that he and Mr. Osenkarski, the Chief, "Punish" people who don't comply with what they demand, or who have fallen out of favor with them. This can be anything from adding cases disproportionately, making degrading comments about those people, keeping private files on them, also instructing me not to talk to another female Probation Officer who brought sexual harassment charges against Mr. Osenkarski in the past.

I have been harassed and admonished by Mr. Graham for taking issues to Mr. Osenkarski, the Chief, when Mr. Graham

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refused to discuss an issue and told me to get out of his office. I was following the alleged chain of command in an effort to resolve the issue. Mr. Osenkarski's response was to state that Mr. Graham is in charge and he does not want involved.

Mr. Osenkarski has basically washed his hands of his responsibilities as Chief. He has stated that he has put his "Fucking 35 years in and now Mr. Graham is in charge".

Mr. Graham has made my work environment hostile and intimidating. It has severely affected my work and my physical well being. I have been made to believe, by Mr. Graham, that I have to put up with harassment or fear loss of my job. Mr. Graham has stated that he answers to no one and no one tells him what to do. When I have disagreed with Mr. Graham he has threatened to "write me up, take me to the Judge, or to the Chief". When I have told Mr. Graham that I did not want to hear his sexual comments he has stated that if I can't take it I can go back to doing social work (my former job). Mr. Graham has told me about numerous family problems he is having and in response I have suggested counseling to him and his family. The suggestion was made while Mr. Graham was driving a vehicle in which I was a passenger. Mr. Graham's response was to increase his speed to over 95 mph, stating that he has no problem.

Mr. Graham, my supervisor, has told me explicit stories about his sexual problems with his wife. He has told me how he "punishes her" in regard to their sexual activities. Mr. Graham has also told me of incidents where he has punished his wife in regard to other family activities.

Mr. Graham has commented to me how dark he believes a young female' "bush" is. Mr. Osenkarski has commented in front of me in an open office area about how a female intern has a nice set of "jahoobes".

I have been harassed and discriminated against by Mr. Graham my supervisor in regard to my work performance. Procedures followed by other male Probation Officers and approved by Mr. Graham are not acceptable when I follow the same procedures. This has been verified by male Senior Probation Officers with comments such as "we can do it this way, but Mr. Graham will not allow you to do it this way". This discriminatory tactic has also been used on another female Probation Officer, which is offensive to both of us.

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I have also been chastised and harassed by Mr. Graham, my supervisor, for allegedly revealing information in regard to his and Mr. Osenkarski's out of the office activities. This includes the use of the County phones to go hunting, as well as information about their trip to Reno in March.

Mr. Graham, my supervisor, has stated loudly in the office that I have no "fucking sense, no fucking training, and no fucking ability". This is in an open office setting within hearing distance of the entire office and the public. This activity is humiliating, degrading and offensive to me. He continually degrades and discusses fellow employees' work deficiencies to anyone in the office. This is embarrassing and degrading to everyone in the office and especially the target of his comments. At present, I fear retaliation following the filing of this complaint because of a statement Mr. Osenkarski made this past summer. I was informed that Mr. Osenkarski made the statement that he has punished a male Probation Officer in the past who testified against him a ⁱⁿ previous sexual harassment case. He stated he will punish other people who do the same to him.

I have concerns for all my coworkers who due to fear of reprisal are afraid to disclose the environment of punishment and humiliation that we are made to work in. I am also offended for all the female workers in the Probation Department who have been exposed to both of these men's sexual comments, inappropriate activities, and harassing statements that have been made towards them over their years of employment.

Sincerely,
Barbara E. Varner